



LAHIVE
&
COCKFIELD
L L P

COUNSELLORS AT LAW
28 STATE STREET
BOSTON, MASSACHUSETTS 02109-1784
TELEPHONE (617) 227-7400
FAX (617) 742-4214
lc@lahcoc.com

JOHN A. LAHIVE, JR. (1928-1997)
THOMAS V. SMURZYNSKI
RALPH A. LOREN
GIULIO A. DeCONTI, JR.
ANN LAMPORT HAMMITE
ELIZABETH A. HANLEY
AMY BAKER MANDRAGOURAS
ANTHONY A. LAURENTANO
KEVIN J. CANNING
JANE E. REMILLARD
DeANN FORAN SMITH
JEANNE M. DIGIORGIO
DEBRA J. MILASINCIC, Ph.D.
NICHOLAS P. TRIANO, III
DAVID J. RIKKERS
DAVID R. BURNS
JOHN S. CURRAN

SEAN A. MCARTHY
ADAM M. GOODMAN
CYNTHIA L. KANIK, Ph.D.
MEGAN E. WILLIAMS, Ph.D.
RICA NAND
MICHAEL PHILLIPS
SENIOR COUNSEL
JAMES E. COCKFIELD
OF COUNSEL
JEREMIAH LYNCH
WILLIAM A. SCOFIELD, JR.
PETER C. LAURO
PATENT AGENTS
PETER S. STECHER

0360
TECHNICAL SPECIALISTS
MARIA LACCOTRIPE ZACHARAKIS, Ph.D.
CYNTHIA M. SOROS
PETER W. DINI, Ph.D.
EUIHOON LEE
LISA M. DIROCCO
JENNIFER K. ROSENFIELD
JUDITH STONE-HULSLANDER, Ph.D.
ALLAN TAMESHTIT, Ph.D.
CATHERINE E. MCPHERSON
ERIC F. WAGNER, Ph.D.
SHAHID HASAN, Ph.D.
ASHITA DOSHI, Ph.D.
JACOB G. WEINTRAUB

* Admitted in NY only
** Passed the Patent Bar Examination

April 6, 2001

Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 09/263,022
Applicants: Sean A. McCarthy
Filed: March 5, 1999
Title: *NOVEL HUMAN DICKKOPF-RELATED PROTEIN AND NUCLEIC ACID MOLECULES AND USES THEREFOR*
Attorney Docket No.: MNI-108CP2

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice of Incomplete Reply (Nonprovisional) (*in duplicate*);
2. Copy of Notice of Incomplete Reply (Nonprovisional);
3. Copy of Response to Notice to File Missing Parts of Non-Provisional Application, mailed January 16, 2001, with Authorization to Charge Deposit Account highlighted;
4. Check for \$50.00 (filing fee); and
5. Acknowledgement postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on:

April 6, 2001

Date

DeAnn F. Smith, Esq., Reg. No. 36,683

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

DeAnn F. Smith, Esq.
Reg. No. 36,683

Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Sean A. McCarthy

Serial No.: 09/263,022

Filed: March 5, 1999

For: *NOVEL HUMAN DICKKOPF-RELATED
PROTEIN AND NUCLEIC ACID
MOLECULES AND USES THEREFOR*

Attorney Docket No.: MNI-108CP2

Group Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

Commissioner for Patents
Washington, D.C. 20231

Certificate of First Class Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

April 6, 2001
Date of Signature and of Mail Deposit

By:

DeAnn F. Smith
DeAnn F. Smith
Reg. No. 36,683
Attorney for Applicant

RESPONSE TO NOTICE TO NOTICE OF INCOMPLETE
REPLY (NONPROVISIONAL)

Dear Sir:

Responsive to the Notice of Incomplete Reply (Nonprovisional) dated February 15, 2001, Applicant's attorney submits herewith a check in the amount of \$50.00 to cover the total amount owed by Applicant, as set forth in the Notice. A copy of the Notice of Incomplete Reply (Nonprovisional) is also enclosed.

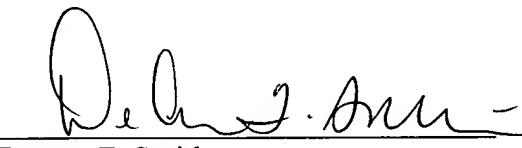
Applicant respectfully submits that the communication dated January 19, 2001 (mailed January 16, 2001) was fully responsive to the communication mailed from the U.S. Patent and Trademark Office on November 14, 2000, because Applicant authorized the Commissioner to charge any underpayments associated with the communication to our Deposit Account No. 12-0080. Accordingly, any fee deficiencies should have been charged to our Deposit Account and

not left outstanding. Applicant submits herewith copies of the communication dated January 19, 2001 (mailed January 16, 2001), highlighting the authorization to charge our Deposit Account.

For the reasons set forth above, Applicant respectfully submits that the communication dated January 19, 2001 was fully responsive to the communication mailed from the U.S. Patent and Trademark Office on November 14, 2000. Accordingly, Applicant further submits that there should be no need to submit a request for an extension of time pursuant to 37 C.F.R. § 1.136(a) in which to respond. If, however, it is maintained that the communication was not fully responsive, the undersigned hereby requests a three-month extension of time pursuant to 37 CFR 1.136(a) in which to respond to the outstanding Notice to File Missing Parts of Non-Provisional Application dated November 14, 2000, and the Commissioner is hereby authorized to charge the three-month extension fee to our Deposit Account No. 12-0080.

The Commissioner is hereby authorized to charge payment of any fees under 37 C.F.R. 1.16 and 1.17 during the pendency of this application or credit any overpayment to Deposit Account No. 12-0080. A duplicate of this letter is enclosed.

Respectfully submitted,


DeAnn F. Smith
Registration No. 36,683
Attorney for Applicants

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, MA 02109
Tel. (617) 227-7400

Dated: April 6, 2001





UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/263,022	03/05/1999	SEAN MCCARTHY	MNI-108CP2

000959
LAHIVE & COCKFIELD
28 STATE STREET
BOSTON, MA 02109

FORMALITIES LETTER



OC000000005768128

Date Mailed: 02/15/2001

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 01/19/2001 to the Notice to File Missing Parts (Notice) mailed 11/14/2000 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- The statutory basic filing fee is insufficient.
Applicant must submit \$ 50 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- The balance due by applicant is \$ 50.

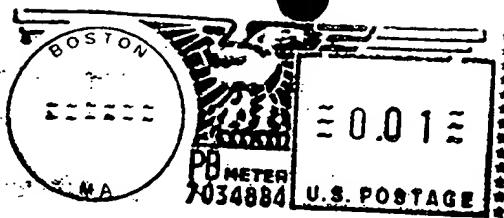
*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE

14/13/2001 SMINASS1 00000059 09263022

1 FC:199

50.00 0P



NO POSTAGE STAMP NECESSARY
POSTAGE HAS BEEN PREPAID BY

LAHIVE & COCKFIELD, LLP
28 STATE STREET
BOSTON, MA 02109

COPY

Office No. MNI-108CP2

THE "RECEIVED" STAMP OF THE PATENT AND TRADEMARK OFFICE
IMPRINTED HEREON ACKNOWLEDGES THE FILING OF:

Description of Paper* and No.: Transmittal Letter (*in duplicate*); Response to Notice To File Missing Parts of Non-Provisional Application (*in duplicate*); Executed Declaration, Petition and Power of Attorney; Copy of Notice to File Missing Parts of Non-Provisional Application; Check for \$876.00 (*filin fee and surcharge*); and this prepaid acknowledgment postcard.

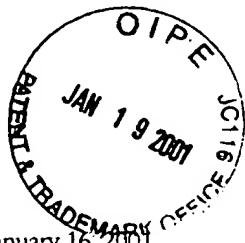
Title: "NOVEL HUMAN DICKKOPF-RELATED PROTEIN AND NUCLEIC ACID MOLECULES
AND USES THEREFOR"

Name of Applicant(s): Sean A. McCarthy

Intf. or Serial No.: 09/263,022

Atty: AEM/DFS/DJM/JKR

Date: January 16, 2001



*with Certificate of First Class Mailing

LAHIVE & COCKFIELD, LLP

012289 COMMISSIONER OF PATENTS & TRADEMARKS

01/16/01

041058

41058

COMPUTER
CHECK NO.

YOUR INVOICE NO.	INVOICE DATE	AMOUNT	DISCOUNT	NET AMOUNT	CHECK TOTAL
MNI-108CP2	01/16/01	876.00			876.00

COPY

PLEASE DETACH BEFORE DEPOSITING

LAHIVE & COCKFIELD, LLP
28 STATE STREET
BOSTON, MA 02109

CITIZENS BANK
Citizens Bank of Massachusetts, Boston, MA

041058

41058

5-7017
2110

DATE	AMOUNT
01/16/01	*\$876.00*

EIGHT HUNDRED SEVENTY SIX AND 00/100 DOLLARS

TWO SIGNATURES REQUIRED FOR AMOUNT
IN EXCESS OF \$30,000.00
VOID AFTER 180 DAYS

Y
THE
DER
COMMISSIONER OF PATENTS & TRADEMARKS



0041058 02107017501102014483